

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: LOCAL TV ADVERTISING
ANTITRUST LITIGATION**

Master Docket No. 18 C 06785

MDL No. 2867

Honorable Virginia M. Kendall

**DECLARATION OF GINA M. INTREPIDO-BOWDEN REGARDING NOTICE
IMPLEMENTATION UPDATES**

I, Gina M. Intrepido-Bowden hereby declare and state as follows:

1. I am a Vice President at JND Legal Administration LLC (“JND”). I am a judicially recognized legal notice expert with more than 20 years of legal experience designing and implementing class action legal notice programs. I have been involved in many of the largest and most complex class action notice programs, including all aspects of notice dissemination.

2. JND is serving as the Settlement Administrator in the above-captioned litigation for the purposes of administering the Settlement Agreements (“Settlements”), filed May 26, 2023 ([ECF No. 982-1](#)), and preliminarily approved by the Court in its *Order Appointing the Settlement Administrator, Approving Settlement Notice Program, and Compelling Production of Customer Contact Information*, filed June 15, 2023 (“Preliminary Approval Order,” [ECF No. 994](#)).

3. I previously submitted a *Declaration in Support of Plaintiffs’ Motion for Final Approval of Settlements with Defendants CBS, FOX, The COX Entities, and Sharebuilders*, dated October 11, 2023 (“October 11, 2023 Declaration,” [ECF No. 1083-2](#)), which describes JND’s implementation of the Court-approved Notice Program.

4. I submit this Declaration to update the Court on the implementation of the Settlement Notice Program since my October 11, 2023 Declaration.

DIRECT NOTICE

5. As described in my October 11, 2023 Declaration, on August 27, 2023, JND sent the Email Notice to 25,711 unique email addresses associated with potential members of the Settlement Classes. As of November 1, 2023, of the 25,711 unique email addresses of potential members of the Settlement Classes that were sent an Email Notice, 22,028 or 85.7% were deemed delivered and 3,683 or 14.3% were deemed undeliverable.

6. On August 27, 2023, JND mailed the Postcard Notice to 88,863 unique postal addresses associated with potential members of the Settlement Classes. *Id.* As of November 1, 2023, 482 Postcard Notices were forwarded by the United States Postal Service (“USPS”) to updated addresses and 14,454 Postcard Notices were returned as undeliverable by USPS. Of the 14,454 undeliverable Postcard Notices, 13 Postcard Notices were returned with updated addresses provided by USPS and were subsequently remailed. For the remaining undeliverable Postcard Notices, JND conducted advanced address searches and received updated address information for 6,055 records. JND promptly remailed 6,055 Postcard Notices to these records. Of the 6,055 Postcard Notices mailed to new addresses, 2,226 were undeliverable.

7. As of November 1, 2023, of the 88,863 unique postal addresses associated with potential members of the Settlement Classes had been sent a Postcard Notice, 78,251 or 88.1% were deemed delivered and 10,612 or 11.9% were deemed undeliverable.

CLAIMS STIMULATION EFFORT

8. As described in my October 11, 2023 Declaration, JND worked with Class Counsel to deliver an additional notice via U.S. Mail (“Reminder Postcards”) and three additional notices via email (“Reminder Emails”) to potential members of the Settlement Classes who had not filed

a claim or requested exclusion from the Settlements. The reminder effort continued up to the October 26, 2023 claims deadline. As of November 1, 2023, a total of 74,961 Reminder Emails and 76,540 Reminder Postcards were successfully delivered.

SETTLEMENT WEBSITE

9. As described in my October 11, 2023 Declaration, on August 23, 2023, JND established and has been maintaining an informational and interactive, case-specific Settlement Website (<https://www.TVAdsSettlement.com>), that allows potential members of the Settlement Classes, as well as the general public, to learn more about the Settlements. The Settlement Website also allowed members of the Settlement Classes to file an electronic claim.

10. As of November 1, 2023, there were a total of 285,055 page views of the Settlement Website pages and documents and 103,589 unique visitors to the Settlement Website. JND will continue to maintain the Settlement Website throughout the Settlement administration process.

TOLL-FREE NUMBER, EMAIL ADDRESS, AND P.O. BOX

11. As described in my October 11, 2023 Declaration, on August 23, 2023, JND established and has been maintaining a Settlement-specific toll-free number, 1-844-717-0648, for potential members of the Settlement Classes, as well as members of the general public, to call for additional information. During business hours, the call center is staffed with operators who are trained to answer questions about the Settlements using the approved answers to the FAQs referenced above.

12. As of November 1, 2023, JND has received 623 calls to the toll-free number from potential members of the Settlement Classes or other individuals. JND will continue to maintain the toll-free number throughout the administration process.

13. JND also maintains an email address, info@TVAdsSettlement.com (“Settlement Email Address”), that allows potential members of the Settlement Classes and other individuals to submit e-mail inquiries to JND. Emails are monitored by JND personnel who are trained to answer questions about the Settlements using the approved answers to the FAQs referenced above. As of November 1, 2023, JND has handled 538 email communications received to the Settlement Email Address. JND will continue to maintain the Settlement Email Address throughout the settlement administration process.

OBJECTIONS AND REQUESTS FOR EXCLUSION

14. As described in my October 11, 2023 Declaration, the Settlement Notice Program informed recipients that any potential member of the Settlement Classes who wanted to object to one or more of the Settlements or Class Counsel’s request for fees, expenses, and service awards, or to exclude themselves from one or more of the proposed Settlements had to do so by October 26, 2023.

15. As of November 1, 2023, JND has received zero (0) objections and two (2) requests for exclusion. The requests for exclusion were reviewed and processed by JND. This process included determining the timeliness and validity of the request for exclusion and identifying the entity that fell within the scope of the valid request for exclusion. The two requests for exclusion seek to opt-out of all four Settlements. The entities that have requested exclusion from the Settlements are identified in **Exhibit A**.

CLAIMS

16. As described in my October 11, 2023 Declaration, the Settlement Notice Program informed recipients that any potential member of the Settlement Classes who wanted to file a claim in the proposed Settlements had to do so by October 26, 2023. As of November 1, 2023, JND has received 8,110 claims.

NOTICE & ADMINISTRATION EXPENSES

17. Through October 31, 2023, JND has invoiced Class Counsel \$364,434.58 for its work in implementing and administering the Settlement Notice Program, and as set forth in Plaintiffs' Motion for Final Approval of Settlements with Defendants CBS, Fox, the Cox Entities, and ShareBuilders. JND believes that, barring any unforeseen complications, notice and administration of these Settlements can be completed for no more than \$800,000.00. See [ECF No. 1083 at 7](#).

CONCLUSION

18. In my opinion, the Settlement Notice Program provided the best notice practicable under the circumstances of these Settlements and is consistent with the requirements of Rule 23 and other similar court-approved best practicable notice programs. JND will continue to administer the Settlements through all phases of Settlements' administration in compliance with the approved Settlement Notice Program.

19. JND has complied with this Court's notice orders of June 15, 2023 (ECF No. [991](#)) and September 8, 2023 (ECF No. [1067](#)).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed in Stone Harbor, New Jersey, this 6th day of November 2023.



GINA M. INTREPIDO-BOWDEN

EXHIBIT A

List of entities that have requested exclusion from the Settlements

1. Falls & Co.; and
2. Quincy Bioscience Holding Company, Inc. and all of its subsidiaries.